

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

IN RE: LOESTRIN 24 FE ANTITRUST
LITIGATION

MDL No. 2472

Master File No. 1:13-md-2472-S-PAS

THIS DOCUMENT RELATES TO:
Direct Purchaser Actions

**DECLARATION OF THOMAS M. SOBOL IN SUPPORT OF DIRECT PURCHASER
CLASS PLAINTIFFS' AMENDED MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT, APPROVAL OF THE FORM AND MANNER OF NOTICE TO THE
CLASS, APPOINTMENT OF CLAIMS ADMINISTRATOR AND ESCROW AGENT,
AND SETTING THE FINAL SETTLEMENT SCHEDULE AND DATE FOR A
FAIRNESS HEARING**

I, Thomas M. Sobol, hereby declare as follows:

I am a member of the bar of the Supreme Court of the State of Rhode Island, the Supreme Judicial Court of the Commonwealth of Massachusetts, the United States District Court for the District of Massachusetts, the United States Courts of Appeals for the First, Second, Third, and Eleventh Circuits, and the United States Supreme Court. I am the managing partner of the Cambridge office of Hagens Berman Sobol Shapiro LLP, counsel for plaintiff Ahold USA, Inc., and co-lead counsel for the direct purchaser class in this matter. I provide this declaration in support of Direct Purchaser Class Plaintiffs' Motion for Preliminary Approval of Settlement, Approval of the Form and Manner of Notice to the Class, Appointment of Claims Administrator and Escrow Agent, and Setting the Final Settlement Schedule and Date for a Fairness Hearing.

1. Attached as **Exhibit 1** is a true and correct copy of the settlement agreement, with attachments as executed, between the direct purchaser class and the defendants, related Warner

Chilcott and Watson entities, and parent entity Allergan, plc.¹

2. Attached as **Exhibit 2** is a true and correct copy of the December 13, 2019 settlement term sheet between the parties.

3. Attached as **Exhibit 3** is a true and correct copy of a January 5, 2020 letter from Jack E. Pace III to Thomas M. Sobol.

4. Attached as **Exhibit 4** is a true and correct copy of the proposed form of notice to be provided to members of the direct purchaser class.²

5. Attached as **Exhibit 5** is a true and correct copy of the proposed order granting preliminary approval of the settlement agreed upon by the parties.

6. Attached as **Exhibit 6** is a true and correct copy of the proposed order granting final approval of the settlement agreed upon by the parties.

7. Attached as **Exhibit 7** is a true and correct copy of the proposed escrow agreement.

8. Attached as **Exhibit 8** is a true and correct copy of the proposed plan of allocation.

9. Attached as **Exhibit 9** is a true and correct copy of the February 24, 2020 declaration of Jeffrey Leitzinger, Ph.D., related to the proposed allocation plan and net settlement fund allocation.

10. Attached as **Exhibit 10** is a true and correct copy of the January 21, 2020 declaration of William W. Wickersham in support of the direct purchaser class notice program.

¹ The settlement agreement also contains four exhibits. By instruction of this Court and with agreement of the parties, the attachments to the settlement have been amended and are attached as Exhibits 4-7 below.

² For clarity, I note that Exhibits 4 through 7 are substantially the same as the copies attached to the Settlement Agreement but reflect changes agreed to by the parties.

Executed this 24th day of February, 2020, under the pains and penalties of perjury.

/s/ Thomas M. Sobol
Thomas M. Sobol (R.I. Bar No. 5005)
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Counsel for the Direct Purchaser Class*

CERTIFICATE OF SERVICE

I, Thomas M. Sobol, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's CM/ECF system. Those attorneys who are registered CM/ECF users may access these filings, and notice of these filings will be sent to those parties by operation of the CM/ECF system.

Dated: February 24, 2020

/s/ Thomas M. Sobol
Thomas M. Sobol (R.I. Bar No. 5005)